

Interview Summary	Application No.	Applicant(s)	
	10/043,071	GROZ, MARC MICHAEL	
	Examiner	Art Unit	
	Matthew D. Hoel	3713	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Matthew D. Hoe, examiner. (3) Corbett Coburn, senior examiner.
 (2) Mark Nowotarski, agent. (4) _____.

Date of Interview: 02 December 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: 42 to 49.


Identification of prior art discussed: Nilssen, 5,082,275 A; Grippo, et al., 6,017,032 A; Ridge, et al., "Bonus Bonds," Financial Services Review, 7(2), pp. 78-81; Adao e Silva B.C., WO 02/47010 A1, PCT/US01/48587.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

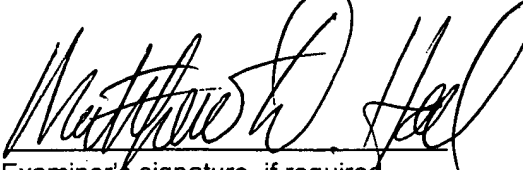
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Nowotarski was informed of the Adao e Silva reference that is very close to his client's application. Nowotarski said the applicant kept good records and may be able to swear behind the reference.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


XUAN M. THAI
SUPERVISORY PATENT EXAMINER

TC3700


 Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

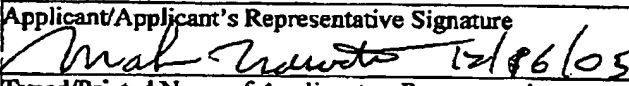
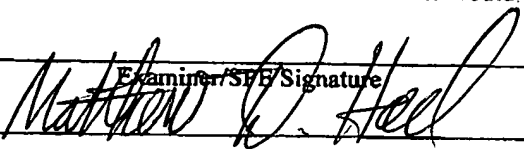
Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

DEC 16 2005

Applicant Initiated Interview Request Form

Application No.: 10/043071		First Named Applicant: Groz	
Examiner: Matthew D. Hoel		Art Unit: 3713	Status of Application: Pending
Tentative Participants:			
(1) Mark Nowotarski (agent)		(2)	
(3) Matthew D. Hoel (examiner)		(4) Xuan M. Thai (SPE)	
Proposed Date of Interview: November 7, 2005		Proposed Time: 11:00 AM (AM/PM)	
Type of Interview Requested:			
(1) <input checked="" type="checkbox"/> Telephonic (2) <input type="checkbox"/> Personal (3) <input type="checkbox"/> Video Conference			
Exhibit To Be Shown or Demonstrated: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
If yes, provide brief description:			
Issues To Be Discussed			
Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed Agreed Not Agreed
(1) Arguments to overcome 103 rejection of claim 42			<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Statement under 37 CFR 1.33(b): An interview was conducted on the above-identified application on 11/8/05. Examiner asserted that the rejections of 10/20/05 would be overcome if claim 42 were amended such that the phrase "cash value" were replaced with the phrase "current market value". Agent for Applicant provisionally agreed pending confirmation with Applicant. Agent and Examiner agreed to have a follow up phone interview on 12/2/05 in order to confirm Applicant's acceptance of said amendment and to confirm that Examiner would allow claim 42 if so amended.			
Applicant/Applicant's Representative Signature		Examiner/SPE Signature	
			
Typed/Printed Name of Applicant or Representative			
Mark Nowotarski			
Registration Number, if applicable			
47,828			

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.31 and 1.14. This collection is estimated to take 20 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.


XUAN M. THAI
SUPERVISORY PATENT EXAMINER

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Applicant Initiated Interview Request Form (cont)		
Application No.: 10/043,071	First Named Applicant: Groz	
Examiner: Matthew D. Hoel	Art Unit: 3713	Status of Application: Pending

Items to be discussed.

Applicant would like confirmation that if claim 42 is amended per Examiner's suggestion of 11/8/05, that said claim would be help allowable over the rejections of the office action of 10/20/05. Said amended claim is:

42. (Amended): A method for increasing the expected return of a game, said method comprising:

- a) offering to sell tokens to a plurality of players to participate in said game, each of said tokens having a price and a designated residual value;
- b) receiving financial consideration from said players, said financial consideration being equal to the number of said tokens purchased by each of said players times said price of said tokens;
- c) allocating a first portion of said financial consideration to a prize pool, said first portion being greater than zero, said prize pool to be distributed among winners of said game;
- d) conducting said game such that there is an outcome of said game wherein said outcome may comprise the designation of a portion of said tokens as winning tokens;
- e) awarding said prize pool to the owners of said winning tokens if said outcome comprises said designation of winning tokens;
- f) allocating a second portion of said financial consideration to purchase assets, said assets having a positive expected return over a period of time such that the expected value of said assets at the end of said period of time is greater than or equal to said financial consideration less said prize pool;
- g) purchasing said assets with said second portion of said financial consideration;
- h) assigning said assets to said tokens, said assignment to each token being in proportion to price of each of said token times the residual value of each of said tokens;
- i) committing to provide the ~~cash~~ current market value of said assets at the end of said period of time to the owners of said tokens.

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Mark Nowotarski

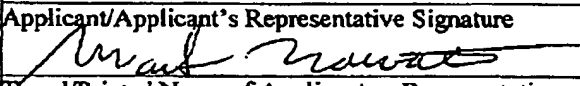
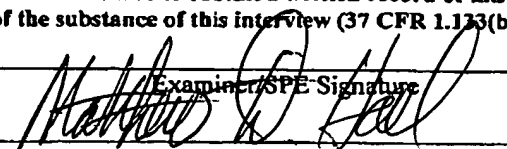
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Approved for use through 07/31/2008. OMB 0851-003 1
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/043071		First Named Applicant: Groz	
Examiner: Matthew D. Hoel		Art Unit: 3713	Status of Application: Pending
Tentative Participants:			
(1) Mark Nowotarski (agent)		(2)	
(3) Matthew D. Hoel (examiner)		(4) Corbett Coburn (Sr. examiner)	
Proposed Date of Interview: December 2, 2005		Proposed Time: 3:00 PM (AM/PM)	
Type of Interview Requested:			
(1) <input checked="" type="checkbox"/> Telephonic (2) <input type="checkbox"/> Personal (3) <input type="checkbox"/> Video Conference			
Exhibit To Be Shown or Demonstrated: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
If yes, provide brief description:			
Issues To Be Discussed			
Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed Agreed Not Agreed
(1) Confirm that Examiner's proposed amendment to claim 42 would overcome all rejections of 10/20/05 office action.			<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
(2) Discussion of whether or not Examiner's proposed amendment would render claim 42 allowable in light of prior art newly discovered by Examiner			<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Continuation Sheet Attached			
Brief Description of Arguments to be Presented: See Attached Sheet			
Summary of Interview under 37 CFR 1.133(b):			
An interview was conducted on the above-identified application on December 2, 2005. Agreement was reached that if claim 42 were amended as per the Examiner's suggestion of 11/8/05, it would overcome the rejections of the final office action of 10/20/05. Agreement was not reached on whether or not said amended claim 42 would be allowable over art newly discovered by the Examiner. The prior art WO 02/47010 A1 was specifically discussed. Examiner is also awaiting translation of other non-English prior art.			
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).			
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.			
Applicant/Applicant's Representative Signature		Examiner/SPE Signature	
			
Typed/Printed Name of Applicant or Representative Mark Nowotarski			
Registration Number, if applicable 47,828			

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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